

Sep 13, 2019

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Sep 13, 2019

SEAN F. MCAVOY, CLERK

NALA W.,

Plaintiff,

v.

ANDREW M. SAUL,
COMMISSIONER OF SOCIAL
SECURITY,¹

Defendant.

NO: 4:19-CV-05016-FVS

ORDER GRANTING STIPULATED
MOTION FOR REMAND

BEFORE THE COURT is the Defendant's Stipulated Motion for Remand,
ECF No. 14. Based on the stipulation of the parties, the Court finds good cause to
grant the motion. Accordingly, **IT IS HEREBY ORDERED:**

¹ Andrew M. Saul is now the Commissioner of the Social Security
Administration. Accordingly, the Court substitutes Andrew M. Saul as the
Defendant and directs the Clerk to update the docket sheet. *See* Fed. R. Civ. P.
25(d).

- 1 1. Defendant’s Motion for Extension of Time, **ECF No. 12**, and
2 Defendant’s Stipulated Motion for Remand, **ECF No. 14**, are
3 **GRANTED**.
- 4 2. This case is **REVERSED** and **REMANDED** for further administrative
5 proceedings including a *de novo* hearing pursuant to sentence four of 42
6 U.S.C. § 405(g).
- 7 3. On remand, the Administrative Law Judge shall update the medical
8 record, offer Plaintiff the opportunity for a hearing, and issue a new
9 decision. The ALJ shall also:
- 10 • Comply with the prior court remand order;
 - 11 • Reevaluate the medical opinion evidence pursuant to the prior court
12 order and in particular the evaluation of Dr. Barnard’s opinion and
13 Plaintiff’s educational accommodations;
 - 14 • Obtain expert psychological or psychiatric medical testimony; and
15 • If warranted, obtain supplemental vocational expert evidence to
16 clarify the effects of the assessed limitations on Plaintiff’s ability to
17 perform other work in the national economy.
- 18 4. Upon proper presentation, this Court will consider Plaintiff’s application
19 for costs, expenses, and reasonable attorney’s fees under the Equal
20 Access to Justice Act, 28 U.S.C. § 2412(a), (d).

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5. Plaintiff's Motion for Summary Judgment, **ECF No. 8**, and the hearing and remaining briefing schedule are **vacated** as moot.

IT IS SO ORDERED. The District Court Clerk is directed to enter this Order and provide copies to counsel. Judgment shall be entered for Plaintiff and the file shall be **CLOSED**.

DATED September 13, 2019.

s/ Rosanna Malouf Peterson
 ROSANNA MALOUF PETERSON
 United States District Judge